

REMARKS

ELECTION/RESTRICTION

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claim 1, drawn to a protein, classified in class 530, subclass 300.
- II. Claims 2-5, drawn to DNA and host cell, classified in class 435, subclass 69.1.

Applicants hereby elect, without traverse, to prosecute the invention of **Group II** (claims 2-5). Claim 1 has been canceled without prejudice as directed to non-elected subject matter. Accordingly, claims 2-5 are currently pending. Applicants reserve the right to pursue the non-elected subject matter of the canceled claim in one or more divisional applications.

Additionally, the Examiner has required that upon election of one of the Groups, Applicants are required to elect a single nucleic acid or protein. Accordingly, Applicants hereby elect, without traverse, the nucleic acid designated **HP10013** and its corresponding sequences, SEQ ID NO:31 and SEQ ID NO:56. Applicants reserve the right to pursue the non-elected subject matter of the nucleic acids or proteins in one or more divisional applications.

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If a telephone conversation with Applicant's Attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call Applicant's Attorney at (617) 227-7400.

Respectfully submitted,
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